

prohibited wrong, nor a misdemeanor, but a *crime*, then it should be punished accordingly; and, if public opinion will sanction it, it should be punished by confinement to hard labor, or in the common gaol at least.

An *analysis* of the offence, which it seems the universal wish to have obliterated, if possible, by legislative enactment, may be thus briefly presented in *detail*.

1. Having Lottery tickets of any Lottery granted by any public authority, with intent to sell.

2. The exhibition of schemes or symbols of any kind, whereby notice can be given that one has Lottery tickets for sale.

3. The selling of *whole* tickets of any Lottery granted by any public authority, supposing such tickets to be genuine, and lawfully saleable in the State where they were made.

4. The making of halves, quarters, and eighths, or other fractional parts, out of genuine tickets, with intent to sell them.

5. The actual selling of such fractions of tickets.

6. The *employing* of any person to sell whole genuine tickets; or parts of tickets, when the fractions are genuine.

7. The accepting and undertaking such employment.

8. The fabrication of any ticket or parts of a ticket, or of any schemes, of *fictitious* Lotteries, with intent to sell and deceive.

This last named act, in the view of the Committee, is equivalent to forgery in a moral and legal sense—but certainly in a *moral* view; in a *legal* view, it may be classed with those crimes which are called getting money, or property by false pretences; but it is in the power of the Legislature to make of it what in their wisdom, they may think proper—fraud or felony—and punish it accordingly.

On these grounds there would seem to be a propriety in a classification of penalties, ranging from a heavy fine, and imprisonment for non-payment, up to sentence to the State prison. If a half-starved, miserable wretch, who steals a piece of goods to cover his nakedness, or perhaps an article of food to keep a family from starving, must go to the State prison, what ought to be done with him who aids and entices a youth to abuse the confidence reposed in him by his employer; to ruin his own character; to fill with inexpressible agony the bosoms of his father and mother; to bring shame and reproach on the dearest connexions in life; to break and rend asunder the sympathies and affections of humanity; to heap vice upon folly; and crime upon